

Form 149

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:

**Winifred H Lynch**  
Debtor(s)

Bankruptcy Case No.: 20-70352-JAD  
Issued per 9/25/2020 Proceeding  
Chapter: 13  
Docket No.: 30 - 23  
Concil. Conf.: January 14, 2021 at 09:00 AM

**ORDER OF COURT CONFIRMING PLAN AS MODIFIED  
AND SETTING DEADLINES FOR CERTAIN ACTIONS**

**(1.) PLAN CONFIRMATION:**

IT IS HEREBY ORDERED that upon consent of the Debtor(s), the Chapter 13 Plan dated 9/18/2020 is CONFIRMED as modified at the Plan confirmation hearing. Terms of the Plan not expressly modified by this Order remain in full force and effect. A copy of this Plan was previously mailed to you. *Only those provisions which are checked below apply to this case:*

- ☐ A. For the remainder of the Plan term, the periodic Plan payment is amended to be \$ as of . Debtor(s)' counsel shall file a motion to amend the income attachment order within seven (7) days of the date of this Order.
- ☐ B. The length of the Plan is increased to a total of months. This statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved. The total length of the Plan shall not exceed sixty (60) months.
- ☒ C. Plan confirmation is on an interim basis only as a form of adequate protection. The Trustee is authorized to distribute to secured and priority creditors with percentage fees. ***A final plan conciliation conference will be held on Jan. 14, 2021 at 09:00 AM, in remotely by the Trustee via Zoom, how to participate: goto www.ch13pitt.com, meetings@chapter13trusteedpa.com.*** If the Parties cannot resolve all disputes at the conciliation conference, a hearing will be scheduled and orally announced at the conclusion of the conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the conciliation conference to the extent such parties desire more information regarding the outcome of the conciliation conference.
- ☐ D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under 11 U.S.C. §506, disputes over the amount and allowance of claims entitled to priority under 11 U.S.C. §507, and all objections to claims.
- ☐ E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- ☐ F. shall be paid monthly payments of \$ beginning with the Trustee's distribution and continuing for the duration of the plan term, to be applied by that creditor to its administrative claim, budget payments and/or security deposit. These payments shall be at the third distribution level.
- ☒ G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim: Cambria County Tax Claim Bureau [Claim #1] .
- ☒ H. Additional Terms: White Twp. will be paid at statutory rate of interest.  
Carvana [Claim #10] governs at plan terms.  
AmeriCredit [Claim #6] will not be paid due to surrender of the collateral.

**(2.) IT IS FURTHER ORDERED THAT THE FOLLOWING DEADLINES ARE ESTABLISHED:**

**A. Objections to the Plan.** Pursuant to *Fed.R.Bankr.P. 2002(b)*, this Order shall not become final for a period of twenty-eight (28) days. Any party in interest with an objection to any provision of this Confirmation Order must file a written objection within that twenty-eight (28) day period. Failure to timely object shall be deemed a waiver of all objections and an acceptance of the provisions of this confirmed Plan. The Trustee may disburse funds pursuant to this confirmation order upon its entry.

**B. Applications to retain brokers, sales agents, or other professionals.** If the Plan contemplates sales of assets or litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

**C. Review of Claims Docket and Objections to Claims.** Pursuant to *W.PA.LBR 3021-1(c)(2)*, the Debtor or Debtor's attorney, if represented, shall review the proofs of claim filed and shall file objections to any disputed claims within ninety (90) days after the claims bar date or, for late filed or amended claims, within ninety (90) days after they are filed and served. Absent an objection, the proof of claim will govern as to the classification and amount of the claim. Objections filed after the ninety (90) days specified herein shall be deemed untimely.

**D. Motions or Complaints Pursuant to §§506, 507 or 522.** All actions to determine the priority, avoidability, or extent of liens, all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

**E. Filing Amended Plans.** Within fourteen (14) days after the Bankruptcy Court resolves the priority, avoidability, or extent of a lien, or any objection to claim, the Debtor(s) shall file an amended Plan to provide for the allowed amount of the claim if the allowed amount differs from the amount stated in the plan. Debtor(s) shall also file an amended Plan within thirty (30) days after the claims bar date(s) in the event that no objection is filed and the claim(s) as filed causes the Plan to be underfunded.

**(3.) IT IS FURTHER ORDERED THAT:**

**A.** After the claims objection deadline, the Plan shall be deemed amended to conform to the claims filed or otherwise allowed. If the Plan expressly modified the terms of payment to any creditor pursuant to *11 U.S.C. §1322(b)(2)*, nothing in this Order shall be construed to change the payment terms established in the Plan.

**B.** Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

**C.** Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

**D.** Debtor's counsel must file a fee application in accordance with *W.PA.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

**E.** The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default. If the default involves failure to make a plan payment the case will result in dismissal without further hearing upon filing and service of an *Affidavit of Default* by the Trustee. The Trustee is not precluded from raising pre-confirmation defaults in any subsequent motion to dismiss.

**F.** In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any ***secured claim*** that is secured by the subject property, unless directed otherwise by further Order of Court.

Dated: October 1, 2020

Jeffery A. Deller  
United States Bankruptcy Judge

cc: All Parties in Interest to be served by Clerk in seven (7) days

In re:  
Winifred H Lynch  
Debtor(s)

Case No. 20-70352-JAD  
Chapter 13

## CERTIFICATE OF NOTICE

District/off: 0315-7  
Date Rcvd: Oct 01, 2020

User: skoz  
Form ID: 149

Page 1 of 3  
Total Noticed: 39

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.
++	Addresses marked '++' were redirected to the recipient's preferred mailing address pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.P.2002(g)(4).

### Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Oct 03, 2020:

Recip ID	Recipient Name and Address
db	+ Winifred H Lynch, P.O. Box 421510, 184 Kibler Lake Road, Flinton, PA 16640-1257
15264155	++ AMERICAN AIRLINES FEDERAL CREDIT UNION, PO BOX 619001, MAIL DROP 2100, DFW AIRPORT TX 75261-9001 address filed with court:, American Airlines FCU, P.O. Box 660493, Dallas, TX 75266-0493
15264156	American Airlines Federal Credit Union, P.O. Box 619001, MD 2100, DFW Airport, Dallas, TX 75261-9001
15264157	American Express, P.O. Box 1270, Newark, NJ 07101-1270
15270718	American Express National Bank, c/o Becket and Lee LLP, PO Box 3001, Malvern PA 19355-0701
15264158	Barclays, P.O. Box 13337, Philadelphia, PA 19101-3337
15264159	Blackwell Recovery, 4150 N., Drinkwater Blvd., Suite 200, Scottsdale, AZ 85251-3643
15264162	+ Cambria County Tax Claim Bureau, 200 S. Center Street, Ebensburg, PA 15931-1941
15276856	Capital One, N.A., c/o Becket and Lee LLP, PO Box 3001, Malvern PA 19355-0701
15288282	Carvana, LLC, PO Box 29018 Phoenix AZ 85038
15264164	Club Exploria, P.O. Box 29352, Phoenix, AZ 85038-9352
15264165	+ Club Exploria, P.O. Box 150, Scottsdale, AZ 85252-0106
15264166	Conemaugh Memorial Medical Center, P.O. Box 16243, Pittsburgh, PA 15242-0243
15264167	+ Conemaugh Miners Memorial Hospital, 290 Haida Avenue, Hastings, PA 16646-5610
15264168	Conemaugh Physician Group, 1086 Franklin Street, Johnstown, PA 15905-4398
15264170	Joseph Hoetzlein, 184 Kibler Lake Road, Flinton, PA 16640
15270711	+ Quicken Loans, LLC fka Quicken Loans Inc., 635 Woodward Avenue, Detroit, MI 48226-3408
15264176	+ Receivables Outsourcing, LLC, P.O. Box 549, Timonium, MD 21094-0549
15264178	+ The Carlton Company, Inc., 2323 South Voss, Suite 460, Houston, TX 77057-3812
15264179	+ The Colony, 1301 Atlantic Avenue, Virginia Beach, VA 23451-3416
15272261	Wells Fargo Bank, N.A., PO Box 10438, MAC F8235-02F, Des Moines, IA 50306-0438
15264180	Wells Fargo Home Projects, P.O. Box 51193, Los Angeles, CA 90051-5493
15264181	+ White Township Tax Collector, P.O. Box 211, Flinton, PA 16640-0211

TOTAL: 23

### Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

Recip ID	Notice Type: Email Address	Date/Time	Recipient Name and Address
cr	+ Email/Text: GMFINANCIAL@EBN.PHINSOLUTIONS.COM	Oct 02 2020 04:21:00	Americredit Financial Services, Inc. DbA GM Finan, DbA GM Financial, P.O Box 183853, Arlington, TX 76096-3853
cr	+ Email/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com	Oct 02 2020 03:54:13	PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
15274115	Email/Text: GMFINANCIAL@EBN.PHINSOLUTIONS.COM	Oct 02 2020 04:21:00	Americredit Financial Services, Inc., DbA GM Financial, P.O Box 183853, Arlington, TX 76096
15264160	Email/Text: Bankruptcy.Processing@bluegreenvacations.com	Oct 02 2020 04:21:00	Bluegreen Vacation Club, Bluegreen Resorts Management, Inc., P.O. Box 630980, Cincinnati, OH 45263-0980
15264161	+ Email/Text: dl-collectionsbankruptcyteam@drivetime.com	Oct 02 2020 04:22:00	Bridgecrest, P.O. Box 53087, Phoenix, AZ 85072-3087
15264163	+ Email/Text: bnc-capio@quantum3group.com	Oct 02 2020 04:22:00	Capio Partners, 2222 Texoma Parkway, Suite 150, Sherman, TX 75090-2481

District/off: 0315-7

User: skoz

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Date Rcvd: Oct 01, 2020

Form ID: 149

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15264169	+ Email/Text: GMFINANCIAL@EBN.PHINSOLUTIONS.COM	Oct 02 2020 04:21:00	GM Financial, 801 Cherry Street, Suite 3500, Fort Worth, TX 76102-6854
15264171	Email/Text: PBNCNotifications@peritussservices.com	Oct 02 2020 04:21:00	Kohl's Payment Center, P.O. Box 2983, Milwaukee, WI 53201-2983
15264172	+ Email/PDF: gecsed@recoverycorp.com	Oct 02 2020 03:54:10	Lowes, P.O. Box 530914, Atlanta, GA 30353-0914
15288511	Email/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com	Oct 02 2020 03:54:14	Portfolio Recovery Associates, LLC, POB 12914, Norfolk VA 23541
15264173	Email/PDF: gecsed@recoverycorp.com	Oct 02 2020 03:54:10	Paypal Credit/SYNCB, P.O. Box 960006, Orlando, FL 32896-0006
15264174	+ Email/Text: bankruptcy@pinnacle recovery.com	Oct 02 2020 04:23:00	Pinnacle Recovery, Inc., P.O. Box 130848, Carlsbad, CA 92013-0848
15264175	+ Email/Text: bankruptcyteam@quickenloans.com	Oct 02 2020 04:22:00	Quicken Loans, 1050 Woodward Avenue, Detroit, MI 48226-1906
15286367	+ Email/PDF: gecsed@recoverycorp.com	Oct 02 2020 03:55:44	Synchrony Bank, c/o PRA Receivables Management, LLC, PO Box 41021, Norfolk VA 23541-1021
15264487	+ Email/PDF: gecsed@recoverycorp.com	Oct 02 2020 03:54:10	Synchrony Bank, c/o of PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
15264177	+ Email/PDF: gecsed@recoverycorp.com	Oct 02 2020 03:57:21	Synchrony Bank/ Amazon, PO BOX 960013, Orlando, FL 32896-0013

TOTAL: 16

## BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, \*duplicate of an address listed above, \*P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

Recip ID	Bypass Reason	Name and Address
cr		Quicken Loans, LLC
15278111	*P++	AMERICREDIT FINANCIAL SERVICES DBA GM FINANCIAL, PO BOX 183853, ARLINGTON TX 76096-3853, address filed with court., Americredit Financial Services, Inc., Dba GM Financial, P.O Box 183853, Arlington, TX 76096

TOTAL: 1 Undeliverable, 1 Duplicate, 0 Out of date forwarding address

## NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

**Meeting of Creditor Notices only (Official Form 309):** Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Oct 03, 2020

Signature: /s/Joseph Speetjens

## CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on October 1, 2020 at the address(es) listed below:

Name	Email Address
Brian Nicholas	

District/off: 0315-7

User: skoz

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Date Rcvd: Oct 01, 2020

Form ID: 149

Total Noticed: 39

on behalf of Creditor Quicken Loans LLC bnicholas@kmlawgroup.com

Office of the United States Trustee

ustpreion03.pi.ecf@usdoj.gov

Ronda J. Winnecour

cmecf@chapter13trusteedpa.com

Terry L. Graffius

on behalf of Debtor Winifred H Lynch tgraffius@lhrklaw.com kmaris@lhrklaw.com

TOTAL: 4